

ESTTA Tracking number: **ESTTA197181**

Filing date: **03/10/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91181985
Party	Plaintiff JeffreyGoldstein
Correspondence Address	Erik Pelton Erik M. Pelton & Associates, PLLC PO Box 100637 Arlington, VA 22210 UNITED STATES emp@tm4smallbiz.com
Submission	Motion for Default Judgment
Filer's Name	Erik M. Pelton
Filer's e-mail	emp@tm4smallbiz.com
Signature	/ErikMPelton/
Date	03/10/2008
Attachments	LABEL - Motion for default.pdf ( 3 pages )(82655 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

---

JEFFREY GOLDSTEIN	)	Opposition No. 91181985
Opposer,	)	
	)	<i>In the matter of:</i>
vs.	)	
	)	Application Serial No. 77191593
STEVE P. WOODARD	)	Published on November 20, 2007
Applicant.	)	Mark: LABEL

---

MOTION FOR DEFAULT JUDGMENT FOR FAILURE OF APPLICANT TO  
FILE A TIMELY ANSWER TO THE NOTICE OF OPPOSITION

Opposer respectfully requests that the Trademark Trial and Appeal Board enter default judgment against Applicant for its failure to file a timely Answer to the Notice of Opposition. Pursuant to TBMP §508, Default Judgment is appropriate is Applicant does not file an Answer within the time allotted.

The Notice of Opposition was filed on January 18, 2008, and Applicant's Answer was due on February 27, 2008. Opposer served Applicant with a copy of the Notice of Opposition on January 18, 2008, at Applicant's address of record and Applicant acknowledged receipt of said service. See attached Certificate of Mailing and Certified Mail Receipt.

To date, Applicant has not filed and Answer.

WHEWREFORE, Pursuant to TBMP §508, Opposer requests that the Board enter default judgment against Applicant for its failure to file a timely answer to the Notice of Opposition.

Respectfully submitted for Opposer,  
JEFFREY GOLDSTEIN

Date: March 10, 2008

By:           /ErikMPelton/            
Erik M. Pelton, Esq.  
Attorney for Opposer

Erik M. Pelton & Associates, PLLC  
PO Box 100637  
Arlington, Virginia 22210  
Phone: 703.525.8009  
Fax: 703.525.8089  
Email: emp@tm4smallbiz.com

Enclosure:  
CERTIFIED MAILING RECEIPT

CERTIFICATE OF SERVICE

I hereby certify that a true and copy of the foregoing Motion for Default on has been served on the following by mailing said copy on March 10, 2008, via First Class mail, postage prepaid, to Applicant at:

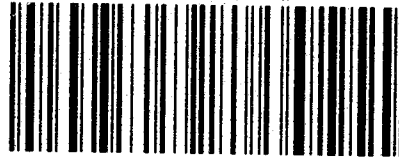
Steve P Woodard  
10220 Empire Avenue  
Cupertino, CA 95014

By:           /ErikMPelton/            
Erik M. Pelton, Esq.

ERIK M PELTON & ASSOCIATES, PLLC  
PO BOX 100637  
ARLINGTON, VA 22210

PS Form 3800, 2/04

## CERTIFIED MAIL



7155 5474 4100 3865 8014

RETURN RECEIPT REQUESTED

### COMPLETE THIS SECTION ON DELIVERY

A. Signature: ( ☐ Addressee or ☐ Agent)

X

B. Received By: (Please Print Clearly)

Steve Woodard

C. Date of Delivery

1/31/08

D. Addressee's Address (If Different From Address Used by Sender.)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

Article Addressed To:



Steve Woodard  
10220 Empire Ave  
Cupertino CA 95014-1205

U.S. Postal Service  
Certified Mail Receipt

#### ARTICLE NUMBER

7155 5474 4100 3865 8014

#### ARTICLE ADDRESS TO:

Steve Woodard  
10220 Empire Ave  
Cupertino CA 95014-1205

#### FEES

Postage per piece	\$1.14
Certified Fee	2.65
Return Receipt Fee	2.15
<b>Total Postage &amp; Fees:</b>	<b>\$5.94</b>

Postmark  
Here